UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.384
2 June 1999

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Nineteenth session

SUMMARY RECORD (PARTIAL)* OF THE 84th MEETING

Held at Headquarters, New York,
on Monday, 22 June 1998, at 10 a.m.

Chairperson: Ms. KHAN

CONTENTS

OPENING OF THE SESSION

SOLEMN DECLARATION BY THE NEW MEMBERS OF THE COMMITTEE

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

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* No summary record was prepared for the rest of the meeting.

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CONTENTS (continued)

REPORT OF THE CHAIRPERSON ON ACTIVITIES UNDERTAKEN BETWEEN THE EIGHTEENTH AND NINETEENTH SESSIONS OF THE COMMITTEE

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE

The meeting was called to order at 10.20 a.m.

OPENING OF THE SESSION

1. The CHAIRPERSON declared open the nineteenth session of the Committee on the Elimination of Discrimination against Women (CEDAW). She welcomed two new members of the Committee, Ms. Guvava and Ms. Taya, who would serve the remainder of the terms of Ms. Bare and Ms. Sato, respectively.

2. Ms. KING (Special Adviser on Gender Issues and Advancement of Women) said that the Commission on the Status of Women, at its forty-second session, had addressed the aspects of the Beijing Platform for Action which were most closely related to the theme of human rights.

3. The Commission had urged Governments to ratify and accede to the Convention so that the Platform for Action's objective of universal ratification by the year 2000 could be achieved. It had also asked Governments to limit the extent of any reservations to the Convention, to formulate such reservations as precisely and narrowly as possible, and to ensure that they were not incompatible with the object and purpose of the Convention or with international treaty law; it had also encouraged Governments to review any existing reservations regularly with a view to their withdrawal.

4. The in-session Open-ended Working Group on the Elaboration of a Draft Optional Protocol to the Convention, in which Ms. Cartwright had participated, had made significant progress and hoped to complete its task in 1999. Recalling that the General Assembly had decided, by resolution 52/100 to convene, in the year 2000, a high-level plenary review to appraise and assess the progress achieved in the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women and the Beijing Platform for Action, for which the Commission would serve as preparatory committee, she said that the Commission had asked the Committee to assist by providing it with information on implementation of the Platform gathered from the review of States parties reports. She suggested that the Committee should consider other ways in which its work could be incorporated into that process.

5. Noting that 1999 would mark both the fifth anniversary of the adoption of the Programme of Action of the International Conference on Population and Development, and the twentieth anniversary of General Assembly's adoption of the Convention on the Elimination of All Forms of Discrimination against Women, she suggested that the Committee should discuss ways of commemorating that anniversary.

6. Both she and the Chairperson had addressed the Commission on Human Rights on behalf of the Committee. The Commission had considered a report on women's real enjoyment of their human rights, particularly those relating to the elimination of poverty, economic development and economic resources, and had held a special debate on gender issues and human rights.

7. She had also addressed the Commission on Crime Prevention and Criminal Justice at its seventh session. She had noted that that Commission had an important role to play in advancing the interests of women and had urged it to address the issue of trafficking in women and girls as an aspect of organized transnational crime.

8. While gender mainstreaming and recognition of women's human rights were increasingly accepted by Member States, there had been no further ratifications of the Convention since the Committee's previous session. There was a need for more innovative ways to encourage ratification and bridge the gap between ratification and implementation.

9. At the ninth meeting of persons chairing human rights treaty bodies, held at Geneva from 25 to 27 February 1998, it had been recommended that the proposed joint statement by the Committee, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights on the indivisibility and centrality of gender awareness in the enjoyment of rights should be formulated within the framework of commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights.

SOLEMN DECLARATION BY THE NEW MEMBERS OF THE COMMITTEE

10. Ms. GUVAVA and Ms. TAYA made the solemn declaration provided for in rule 10 of the Committee's Rules of Procedure.

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK (CEDAW/C/1998/II/1)

11. The agenda was adopted.

REPORT OF THE CHAIRPERSON ON ACTIVITIES UNDERTAKEN BETWEEN THE EIGHTEENTH AND NINETEENTH SESSIONS OF THE COMMITTEE

12. The CHAIRPERSON said that, as noted in paragraph 17 of the report contained in document CEDAW/C/1998/II/4, at the ninth meeting of persons chairing human rights treaty bodies, the Chairpersons had emphasized that universal ratification of the six core human rights treaties was an essential dimension of a global order committed to full respect for human rights and had called on the United Nations system to encourage ratification of those treaties and requested that the United Nations Development Programme (UNDP) be asked to develop a comprehensive programme to facilitate ratification and reporting by States Parties.

13. They had reiterated the importance of high quality concluding observations and had supported the trend towards combining the sections on "concerns" and "suggestions and recommendations", (idem, para. 15). They had supported the practice followed by the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination (CERD) in considering the situation in countries whose reports were long overdue on the basis of available information, including that provided by those States parties to other international bodies. That approach would prevent non-reporting States parties from undermining the purpose and objectives of the treaties in question. The

issue was important in view of the fact that 25 initial reports and 41 periodic reports to the Committee were more than five years overdue.

14. The Chairpersons had considered the preliminary conclusions of the International Law Commission on reservations to normative multilateral treaties including human rights treaties (para. 18), and had welcomed the Commission's view that human rights treaty monitoring bodies were competent to interpret the scope of their respective conventions and the validity of reservations thereto; at the same time they had emphasized that such instruments could not be placed on the same footing as other treaties.

15. The Chairpersons had addressed the issue of the periodicity of reporting and had concluded that it was important to adopt a flexible approach, (para. 19), to take account of specific circumstances and avoid approaches which might prompt States parties to delay submission of their reports. The Chairpersons had also reiterated their views on the advantage of focused reports on a limited range of issues and had agreed to prepare a joint statement on the present and future role of the treaty bodies.

16. All those issues would be submitted to the Committee for approval.

17. The Chairpersons had also met with the High Commissioner for Human Rights in order to discuss secretarial support and other administrative matters.

18. She had also attended the forty-second session of the Commission on the Status of Women, at which a number of Committee members had represented their own countries. In addition to its central themes, which had included the human rights of women, the girl child, women and armed conflict and violence against women, the Commission had reviewed gender mainstreaming in the United Nations system and emerging issues, trends and new approaches to issues affecting the situation of women or equality between women and men and had considered a report of the Open-ended Working Group on the Elaboration of a Draft Optional Protocol to the Convention.

19. At the fifty-fourth session of the Commission on Human Rights, she had called on Governments to work towards universal ratification of the Convention and had also urged States parties to accept the proposed amendment to article 20, paragraph 1, of the Convention so that the Committee could continue to hold two sessions annually.

20. In a statement made at the preparatory committee for the special session of the General Assembly on the implementation of the outcome of the World Summit for Social Development she had focused on the plight of people living in South Asia and sub-Saharan Africa, where over half of the hard core poor were women. She had emphasized that microcredit programmes such as that of the Grameen Bank which was being touted as a panacea for poverty, were effective only for the upper and middle classes of the poor. The poorest sectors, which consisted primarily of women, required special government policies and programmes aimed at meeting their basic survival needs and increasing gender sensitivity, including provisions for health care, primary education and child nutrition. She had also stressed the need to take into account the rapid growth of the female labour force in developing countries and to protect workers in the informal sector,

most of whom were women, and had argued that the Governments of developing countries should move slowly in adopting policies for economic liberalization, which reduced the demand for unskilled female workers. While non-governmental organizations (NGOs) were a driving force for social development, the steady increase in poverty among the hard core poor and the growing disparity in levels of consumption indicated that the poorest sectors could be better addressed by community-based organizations capable of developing innovative programmes that took into account the non-static characteristics of poverty.

21. She had drawn attention to the increasing emphasis placed by the Committee on social indicators, including poverty, health and education, in its consideration of States parties' reports and had suggested that implementation of the Convention should be regarded as an essential indicator when measuring progress towards the attainment of the goals of the Summit.

22. She had participated in the annual session of the UNDP/UNFPA Executive Board meeting held in Geneva in June thereby helping to highlight the importance of reproductive health programmes and reproductive rights as a human rights issue, and had informed the Board about the draft General Recommendation on article 12 of the Convention.

23. In April she had attended an international conference on women and fundamentalism held in Barcelona and had presented a paper on fundamentalism in Islam and its impact on the human rights of women in the context of the Convention. The meeting had condemned violence and discrimination against women by religious fundamentalists, demanding that Governments discharge their responsibilities in protecting the human rights of women.

24. Given that, despite a clear understanding by both sides of the need for closer cooperation between the Committee and the special rapporteur on violence against women, nothing had yet materialized, she suggested that the Committee might consider appointing a focal point to liaise with the special rapporteur.

25. Turning to the relationship between the Committee and the specialized agencies, she said that the United Nations Development Fund for Women (UNIFEM) had continued to stress its commitment to universal ratification of the Convention and that representatives of UNHCR and the Joint United Nations Programme on Aids (UNAIDS) had also expressed a determination to work closely with the Committee. The Centre for International Crime Prevention had drawn the Committee's attention to General Assembly resolution 52/86 whereby the Assembly had adopted the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice and called for the translation and dissemination of a resource manual on strategies for confronting domestic violence.

26. Concerning the Committee's relationship with non-governmental organizations, she noted that the International Women's Rights Action Watch had produced "shadow" reports on six countries whose reports were due to be considered by the Committee at its current session. Other NGOs had also sent the Committee "shadow" reports on particular countries, and some NGO representatives had briefed the pre-session working group with country-specific information. Lastly, she acknowledged the contribution to other areas of the

Committee's work made by the International Law Commission, the Centre for Reproductive Law and Policy and other NGOs.

27. Ms. GONZALEZ requested that the Chairperson's report be circulated to members of the Committee.

28. Ms. ABAKA asked if there would be an opportunity to discuss the issues raised by the Chairperson in her report.

29. Ms. CORTI said that she would like to discuss some of the points raised by the Chairperson at an early stage in the session, rather than towards the end.

30. Ms. JAVATE DE DIOS (Rapporteur) said that the Committee should be playing a more active role in certain areas, as for example, the ongoing conference in Rome on the establishment of an international criminal tribunal. The key activities until the year 2000 should be brought together into an overall plan, so that the Committee could respond in an anticipatory, rather than a reactive manner.

31. Ms. AOUIJI welcomed the role which the Committee was now playing in the work of the Commission on Human Rights. It was unfortunate, she thought, that the Committee had not been represented at the recent conference on women in the economic and social sphere, held at Addis Ababa under the auspices of the Economic Commission for Africa.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW/C/1998/II/3, CEDAW/C/1998/I/WG.II/WP.3 and Add.1 and 2 and CEDAW/C/1998/II/WG.II/Rev.1)

32. Ms. TIMOTHY (Division for the Advancement of Women), introducing the item, recalled that the Committee would be considering the revised draft general recommendation on women's health (art. 12), which had been prepared in accordance with the new method of work for formulating general recommendations agreed on at its seventeenth session. The draft recommendation was contained in document CEDAW/C/1998/I/WG.II/WP.3 and Add.1 and 2. Written comments on the working paper had already been submitted to Ms. Abaka and Ms. Shalev.

33. The Committee would also have before it a note by the Secretary-General on reports of specialized agencies on the implementation of the Convention in areas falling within the scope of their activities (CEDAW/C/1998/II/3 and Add.1-4).

34. In addition the Committee would have before it a revised draft working paper on reservations to the Convention, prepared by Ms. Cartwright (CEDAW/C/1998/II/WG.II/WP.1/Rev.1). The text incorporated comments by members on the previous draft, which had been submitted to the Committee at its eighteenth session.

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE (CEDAW/C/1998/II/4)

35. Ms. CONNORS (Women's Rights Unit), introducing the item drew attention to the report contained in document CEDAW/C/1998/II/4 which, in addition to examining relevant issues considered at the ninth meeting of persons chairing

the human rights treaty bodies contained recommendations made to the Committee by the Commission on the Status of Women and by the Commission on Human Rights.

36. Recalling that the Committee had decided, at its fifteenth session, to continue its review of its rules of procedure, she also drew attention to the working paper containing the draft rules of procedure (CEDAW/C/1997/WG.I/WP.1).

The discussion covered in the summary record ended at 11.45 a.m.